

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re: WILLIAM PAUL BURCH,

Plaintiff.

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Civil Action No. 4:20-cv-01040-P-BP

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. ECF No. 12. Five days later, Plaintiff William Paul Burch filed a Response to the Findings, Conclusions, and Recommendation of the United States Magistrate Judge. ECF No. 13. Burch's Response merely rehashes the same arguments that the Magistrate Judge already considered. *First*, the Magistrate Judge correctly noted that the waiver-of-fee provision in 28 U.S.C. § 1930(f)(1) is inapplicable. ECF No. 12 at 3. *Second*, Burch's attachments show that his creditor's efforts to collect continue, which is the same finding made by the Magistrate Judge. *Id.* at 3. *Finally*, Burch argues that his other pending litigation somehow supports his *in forma pauperis* status, but the Magistrate Judge considered Burch's other litigation. *Id.* at 4. Having considered these arguments, the Court finds that they are frivolous and need not be considered in any further detail. *See Nettles v. Wainwright*, 677 F.2d 404, 410 n. 8 (5th Cir. Unit B 1982) (en banc) ("Frivolous, conclusive or general objections need not be considered by the district court."). Therefore, Burch's objections are **OVERRULED**.

The District Judge also reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the undersigned District Judge believes

that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that Plaintiff's Motion to Proceed for In Forma Pauperis (ECF No. 5) is **DENIED**. Therefore, Plaintiff William Paul Burch is **ORDERED** to pay the required \$400 filing fee to the Clerk of Court within fourteen days of this Order. Plaintiff's failure to pay the required fee will result in **DISMISSAL without prejudice**. FED. R. CIV. P. 41(b).

SO ORDERED on this **5th day of February, 2021**.

A handwritten signature in black ink, reading "Mark T. Pittman", written over a horizontal line.

Mark T. Pittman

UNITED STATES DISTRICT JUDGE